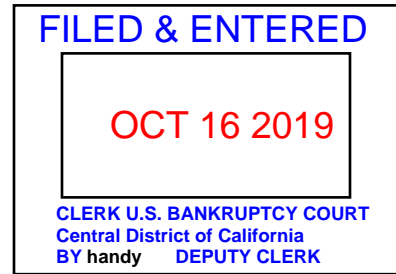


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UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
NORTHERN DIVISION

In re:	)	Case No.: 9:19-BK-11573-MB
HVI CAT CANYON, INC.,	)	Assigned to Hon. Martin R. Barash
Debtor.	)	Chapter 11
	)	AGREED ORDER GRANTING
	)	MOTION FOR APPOINTMENT OF A
	)	CHAPTER 11 TRUSTEE
)	
	)	Date: October 18, 2019
	)	Time: 8:30 a.m.
	)	Dept: 21041 Burbank Boulevard
	)	Courtroom 303
	)	Woodland Hills, California 91367

1 This Agreed Order Granting the Motion for Appointment of a Chapter 11 Trustee is entered
2 as of October 15, 2019, with the express consent of the Debtor and with respect to the following
3 facts:

4 On October 7, 2019, the California State Lands Commission (the "Commission"), the
5 California Department of Conservation Division of Oil, Gas, and Geothermal Resources
6 ("DOGGR"), Santa Barbara County, the Air Pollution Control District, and the Office of Harry E.
7 Hagen, Treasurer-Tax Collector ("Santa Barbara"), and BUGANKO, LLC ("BUGANKO") filed
8 their Motion for Appointment of a Chapter 11 Trustee [Docket No. 356] (the "Commission
9 Motion"), pursuant to section 1104(a) of the Bankruptcy Code. Also on October 7, 2019, UBS AG,
10 London Branch ("UBS") filed its Motion to Appoint a Chapter 11 Trustee pursuant to sections
11 1104(a) and 1112(b) of the Bankruptcy Code [Docket No. 363] (the "UBS Motion", UBS together
12 with the Commission, DOGGR, Santa Barbara, and BUGANKO constituting the "Movants"; the
13 UBS Motion together with the Commission Motion, constituting the "Trustee Motions").

14 On October 8, 2019, during the telephonic hearing to consider the *Agreed Order for*
15 *Consensual Use of Cash Collateral*, this Court expressed on the record that the Trustee Motions and
16 the evidence submitted in support of the Trustee Motions made out a *prima facie* case to appoint a
17 Chapter 11 trustee.

18 On October 12, 2019, the Debtor's counsel notified counsel for Movants that the Debtor will
19 consent to the appointment of a Chapter 11 trustee and will not oppose the Trustee Motions or any
20 order granting appointment of a Chapter 11 trustee, thereby obviating the need to proceed with a
21 hearing on the Trustee Motions on October 18, 2019, as scheduled. The Debtor expressly reserves
22 all its rights with respect to the selection of a Chapter 11 trustee and of his or her professionals.

23 Based upon the evidence and pleadings submitted in support of the Trustee Motions, the
24 Court finding that the Trustee Motions make out a *prima facie* case for appointment of a Chapter 11
25 trustee, upon the consent of the Debtor, and good cause appearing therefor,

26 IT IS HEREBY ORDERED that:

27 1. The Trustee Motions are granted;
28

1 2. The United States Trustee is directed to immediately appoint a Chapter 11 trustee;
2 and

3 3. This Order shall be effective immediately upon entry notwithstanding anything to
4 the contrary in the Bankruptcy Rules or the Local Bankruptcy Rules of the United States Bankruptcy
5 Court for the Central District of California.

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24 Date: October 16, 2019



Martin R Barash
United States Bankruptcy Judge

Agreed as to form and substance:

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**PROPOSED COUNSEL TO THE OFFICIAL COMMITTEE OF
UNSECURED CREDITORS**

No objection as to form:

Office of the United States Trustee

By: /s/ Brian D. Fittipaldi

Brian D. Fittipaldi

U.S. Department of Justice

Office of the United States Trustee

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